

DISPOSITION: November 28, 1949. Default decree of condemnation and destruction. The product was mixed with offal and rendered into tankage.

15517. Adulteration of canned herring roe. U. S. v. 8 Cases * * * (and 4 other seizure actions). (F. D. C. Nos. 26013 to 26017, incl. Sample Nos. 1203-K, 2830-K, 2831-K, 3694-K, 3724-K.)

LIBELS FILED: November 22, 24, and 29, 1948, Eastern District of North Carolina.

ALLEGED SHIPMENT: On or about May 21 and June 1, 4, and 11, 1948, by the American Roland Food Co., from Eastport, Maine.

PRODUCT: 146 cases, each containing 24 15-ounce cans, of herring roe at Whiteville, Kinston, Weldon, and Wilmington, N. C.

LABEL, IN PART: (Can) "Custom House Herring Roe * * * Packed by Riviera Packing Company, Eastport, Maine."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance, and it was otherwise unfit for food by reason of its tough, rubbery consistency.

DISPOSITION: June 10, 1949. The Riviera Packing Co. having appeared as claimant and admitted the allegations of the libels, and the libel proceedings having been consolidated, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.

The segregation operations proved to be impractical, and, consequently, the entire amount of the product was destroyed.

15518. Misbranding of canned sardines. U. S. v. 468 Cases * * *. (F. D. C. No. 27838. Sample No. 13673-K.)

LIBEL FILED: September 13, 1949, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about June 10, 1949, by the Fortune Fisheries, from San Francisco, Calif.

PRODUCT: 468 cases, each containing 48 cans, of sardines at Philadelphia, Pa.

LABEL, IN PART: (Can) "Charlie Boy California Sardines In Tomato Sauce Contents 15 Oz. Avoir or 425 Grams Packed By Romeo Packing Co. * * * Half Moon Bay California."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The cans contained less than the declared weight of 15 ounces.)

DISPOSITION: December 8, 1949. The Fortune Fisheries, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled, under the supervision of the Food and Drug Administration.

15519. Adulteration of fresh tullibees. U. S. v. 40 Boxes * * *. (F. D. C. No. 28274. Sample No. 57371-K.)

LIBEL FILED: November 9, 1949, Eastern District of New York.

ALLEGED SHIPMENT: On or about January 23, 1949, by Keystone Fisheries, Ltd., from Winnipeg, Manitoba, Canada.

PRODUCT: 40 50-pound boxes of fresh tullibees at Brooklyn, N. Y.